

DECLARATION OF YOU ZHENFU

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11 被告律师
福建省晋华集成电路有限公司
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13 美国加利福尼亚州北区

14 联邦地区法院

15 旧金山分庭

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| 16 美利坚合众国, | 案件号: 3:18-cr-00465-MMC |
| 17 原告, | 尤振富关于 2022 年 6 月 21 日证人作证的声明 |
| 18 诉 | 法官: 尊敬的 Maxine M. Chesney 庭审日期: 2022 年 2 月 28 日 |
| 19 联华电子股份有限公司等, | |
| 20 被告。 | |
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1 尤振富的声明

2 本人，尤振富¹，声明如下：

3 1. 我不会说流利的英语，因此我用我的母语中文普通话作出本声明。

4 2. 我是福建省晋华集成电路有限公司（“晋华”）的人力资源总监。我就本法
5 院于 2022 年 6 月 13 日发布的命令提供本声明，在该命令中法院命令我于 2022 年 6 月 21 日
6 亲自出庭参与庭审。

7 3. 我注意到我可以前往美国：我的新冠肺炎通行证为“绿色”，表明我可以旅
8 行。台湾与美国有免签证计划。台湾人前往美国前只需通过旅行授权电子系统（ESTA）申
9 请旅行授权。我之前通过旅行授权电子系统（ESTA）申请过并获得了旅行授权。即使存在
10 新冠相关的出行困难，我仍然愿意遵守法院的命令，在 6 月 20 日这一周前往美国作证。

11 4. 但是，我已被告知美国和中国政府就允许证人在本案庭审中作证事宜所发出
12 的多封外交照会。我理解，中方尚未通过外交渠道就证人在庭审中作证给予正式批准。我
13 还理解，晋华已询问司法部下属福建省司法厅，以确认我是否可以去美国在本案中作证，
14 晋华尚未收到答复。

15 5. 有鉴于此，在通过外交渠道获得正式批准之前，或者在福建省司法厅进一步
16 确认我被批准前往美国作证之前，我不愿意前往美国。特别是，在未得到中国主管机关进
17 一步确认的情况下在庭审中现场作证，我担心我会被视为违反中国法律。

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¹我也叫 Yu Chen Fu (护照上的名字)。

1 我理解美国法律中关于伪证罪的处罚，我声明上述内容真实无误。于 2022 年 6 月 17
2 日在中国福建省晋江市签署。

3 签名: _____
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5 尤振富

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1 签名的证明
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3 根据《民事地方规则》第 5-1(i)条，本人证明在提交本文件时已获得本文件的任何其他
4 签署人的同意，我理解如果作伪证，本人将受到处罚。
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6 _____ /签名/ Jack P. DiCanio
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11 *Attorneys for Defendant*
12 FUJIAN JINHUA INTEGRATED CIRCUIT CO., LTD.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

16 UNITED STATES OF AMERICA,
17 Plaintiff,
18 v.
19 UNITED MICROELECTRONICS
20 CORPORATION, et al.,
Defenda

CASE NO.: 3:18-cr-00465-MMC

**DECLARATION OF YOU ZHENFU
REGARDING WITNESS
TESTIMONY ON JUNE 21, 2022**

Judge: The Honorable Maxine M. Chesney
Trial Date: February 28, 2022

1 DECLARATION OF YOU ZHENFU

2 I, YOU ZHENFU¹, declare and state as follows:

3 1. I do not speak English fluently and therefore make this declaration in my native
4 language of mandarin Chinese.

5 2. I am the Director of Human Resources of Fujian Jinhua Integrated Circuit Co., Ltd.
6 (“Jinhua”). I offer this Declaration regarding the Order issued by this Court on June 13, 2022 which
7 Court ordered me to appear in person for trial on June 21, 2022.

8 3. I note that I am able to travel to the United States: my Covid pass is “green” indicating
9 I can travel. Taiwan has a Visa Waiver Program with the United States. Taiwanese citizens only need
10 to apply for travel authorization through the ESTA system before traveling to the United States. I
11 have previously applied and obtained a travel authorization through the ESTA system. Even with the
12 Covid-related travel complications, I am still willing to comply with the court’s order and be present
13 in the US for testimony during the week of June 20.

14 4. However, I have been told about the various diplomatic notes sent by the United
15 States and Chinese governments regarding permission to testify at trial in this matter. I understand
16 that the Chinese government has not given formal approval through the diplomatic process for
17 witnesses to testify at trial. I also understand Jinhua has asked the local ministry of justice in the
18 Fujian province for further assurances that I have permission to travel to the United States to testify
19 in this matter and that Jinhua has not received a response.

20 5. In light of that, I am not comfortable travelling to the United States until formal
21 approval is granted through the diplomatic process or until there is further assurances by the local
22 ministry of justice in the Fujian province that I have permission to travel to the United States to
23 testify. More specifically, I am afraid I may be viewed as violating Chinese law if they provide live
24 testimony at trial without further affirmative consent of the PRC competent authority.

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¹ I am also known as Yu Chen Fu (name on the passport).

1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct. Executed on this 17 th day of June 2022 in Jinjiang City, Fujian Province, China.

3 By: _____
4 You Zhenfu

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1 **SIGNATURE ATTESTATION**

2 Pursuant to Civil Local Rule 5-1(h)(3), I attest under penalty of perjury that concurrence in
3 the filing of this document has been obtained from any other signatory to this document.

4 _____
5 /s/ Jack P. DiCanio
6 Jack P. DiCanio
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